

Appl. No. : 10/769,238
Applicant : Ronald L. Darata
Filed : 01/31/2004
TC/A.U. : 2873
Examiner : Huy Kim Mai
Docket No. : 03-016-RD



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

In response to the Office action of January 09, 2006 please consider the arguments and remarks regarding the above-identified application as a Submission accompanying a Request for Continued Examination as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 20 of this paper.

in the same manner as the instant invention. The end piece retainers in the instant invention attach to the primary spectacle frame from the top and bottom and the eyerims or end pieces, rather than merely resting on the top of the primary spectacle frame as in Lemelson. This differing attachment device, the end piece retainers, and corresponding differing attaching means clearly distinguishes the present invention from Lemelson.

Allowable Subject Matter

The Examiner has indicated that claims 72-77 would be allowable if re-written.

RESPONSE

In light of Applicant's responsive arguments with respect to the rejection of claim 71, Applicant has not re-written claims 72-77 at this time.

CONCLUSION

Reconsideration and further examination is respectfully requested.

A three month extension of time is required to file this response, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. The Commissioner is hereby authorized to charge the amount of \$510 and the filing fee for the RCE of \$395 to Deposit Account No. 12-0115. Further, the Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 12-0115.

Applicant has made a diligent effort to place the new claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully

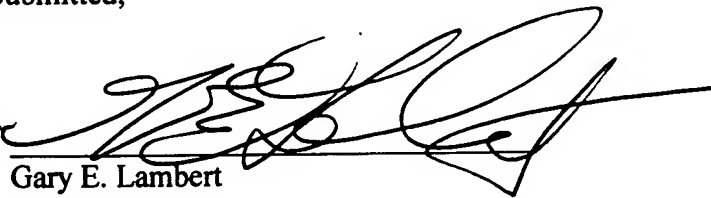
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Reply to Office action of December 09, 2005

requested that the Examiner telephone Gary E. Lambert, Applicant's Attorney at (617) 720-0091 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

6-6-06 
Date Gary E. Lambert
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